

**Exhibit A**  
**Declaration of**  
**Justin R. Wyatt**

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY LITIGATION**

Kevin Turner and Shawn Wooden, on behalf of  
themselves and others similarly situated,

Plaintiffs

v.

National Football League and NFL Properties, LLC,  
successor-in-interest to NFL Properties, Inc.,

Defendants.

**THIS DOCUMENT RELATES TO:  
ALL ACTIONS**

No. 2:12-md-02323-AB  
MDL No. 2323

**DECLARATION OF JUSTIN R. WYATT, ESQ.**

I, Justin R. Wyatt, hereby declare as follows under penalty of perjury pursuant to 28 U.S.C. § 1746:

1. My law firm, J.R. Wyatt Law PLLC, has represented over 100 claimants in the claims administration process in the NFL Player's Concussion Injury Litigation, including Mr. Henry and Mr. Davenport.

2. In multiple appeals before the Special Masters involving my clients, I have filed briefs arguing that the practice of race norming as presently employed in the Settlement Program is discriminatory and unlawful.

3. Attached to this Declaration as Exhibit 1 is a true and correct (redacted) copy of a brief that I filed on November 9, 2018, in an appeal before the Special Masters involving a player

identified as SPID 100010093. In that brief, I wrote that the use of race norms “is troubling (and raises potential equal protection issues).” Ex. 1 at 7. I wrote further that:

The demographically adjusted norms generally make it more difficult for African American players to qualify for the Settlement than Caucasian players. While using demographic adjusted norms may be helpful in a clinical setting, requiring the use of demographic adjusted norms that make it more difficult for African Americans to obtain a specific benefit (i.e., a Qualifying Diagnosis under the Settlement) is discrimination.

*Id.*

4. Attached to this Declaration as Exhibit 2 is a true and correct (redacted) copy of a brief that I filed on May 22, 2019, in an appeal before the Special Masters involving a player identified as SPID 100016045. In that brief, I argued at length that the present use of race norms in the Settlement Program is discriminatory and unlawful. *See* Ex. 2 at 11–19.

5. Exhibit 3 to the Declaration of Christopher Seeger, ECF 11312-4, is a true and correct (redacted) copy of a brief that I filed on August 22, 2019, in an appeal before the Special Masters involving a player identified as SPID 100005553. In that brief, I argued at length that the present use of race norms in the Settlement Program is discriminatory and unlawful. *See* ECF 11312-4 at 16–25.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 26, 2020

/s/ Justin R. Wyatt  
Justin R. Wyatt